

**Michael Fuller, Oregon Bar No. 09357**

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Of Attorneys for Mr. Klemp

Eblen Freed LLP

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

**DAVID KLEMP,**

a consumer residing in Yamhill County,

Plaintiff,

v.

**COLUMBIA COLLECTION**

**SERVICE, INC.,**

a domestic business corporation,

Defendant.

Case No. 3:13-cv-01577-PK

**PLAINTIFF MR. KLEMP'S MOTION TO  
COMPEL AND FOR SANCTIONS**

**Fed. R. Civ. P. 37**

**Oral Argument Requested**

**Expedited Hearing Requested**

**LR 7-1 CERTIFICATION**

I certify that I made a good faith effort with opposing counsel on December 27, 2013 to resolve this dispute and have been unable to do so.

**PLAINTIFF MR. KLEMP'S MOTION TO COMPEL AND FOR SANCTIONS - Page 1**

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**MOTION**

Pursuant to Fed. R. Civ. P. 37(a)(3)(B)(i), Mr. Klemp moves for an order as follows:

**IT IS ORDERED** that Mr. Klemp's motion to compel is granted.

**IT IS ORDERED** that if Columbia Collection does not disclose the communications it relied on in filing its counterclaims against Mr. Klemp, then Columbia Collection shall be prohibited from later introducing the communications into evidence.

**IT IS ORDERED** that Columbia Collection improperly refused to answer questions at its deposition, and so shall pay (a) Mr. Klemp's attorney fees of \$1,950 in making this motion, (b) the appearance fee of the court reporter hired by Mr. Klemp to attend the December 27, 2013 deposition, and (c) the cost of the court reporter's fee for transcribing the December 27, 2013 deposition.

DATED: January 8, 2014

RESPECTFULLY SUBMITTED,

s/ Michael Fuller

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Trial Attorney for Mr. Klemp

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**PLAINTIFF MR. KLEMP'S MOTION TO COMPEL AND FOR SANCTIONS - Page 2**

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**CERTIFICATE OF SERVICE**

I certify that I served this document on Columbia Collection Service, Inc. on January 8, 2014 by causing it to be mailed to:

**Columbia Collection Service, Inc.**  
**c/o attorney Jeff Hasson**  
**12707 NE Halsey St.**  
**Portland, OR 97230**  
**[Hasson@dhlaw.biz](mailto:Hasson@dhlaw.biz)**

DATED: January 8, 2014

s/ Michael Fuller  
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